

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

HARRY J. SMITH,)	
)	
Petitioner,)	
)	
v.)	Civ.Act.No. 07-408-JJF
)	
PERRY PHELPS, Warden ¹)	
and JOSEPH R. BIDEN, III, Attorney)	
General for the State of Delaware)	
)	
Respondents.)	

NOTICE OF FILING OF STATE COURT RECORDS

1. Notice is hereby given that certified copies of the following Delaware State Court documents have been manually filed with the Court and are available in paper form only:
- a. Superior Court Criminal Docket ID#83005854DI
 - b. Appellant's Opening Brief and Appendix (37, 2007)
 - c. State's Motion to Affirm (37, 2007)
 - d. May 7, 2007 Order (37, 2007)

DATE: January 11, 2008

/s/ James T. Wakley
Deputy Attorney General
Department of Justice
820 N. French Street
Wilmington, DE 19801
(302) 577-8500
Del. Bar. ID No. 4612

¹ Warden Phelps officially took office on January 7, 2008

CERTIFICATE OF SERVICE

I hereby certify that on January 11, 2008, I electronically filed a notice of filing of state court records with the Clerk of Court using CM/ECF. I also certify that on January 14, 2008 I will manually file the state court records referenced therein and mail, by United States Mail, two copies of the notice and one copy of the documents referenced therein to the following non-registered participant:

Harry J. Smith
SBI No. 297441
Delaware Correctional Center
1181 Paddock Road
Smyrna, DE 19977

/s/ James T. Wakley
Deputy Attorney General
Department of Justice
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